

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

SMITH KLINE & FRENCH)	
LABORATORIES, LTD, AND)	
SMITHKLINE BEECHAM CORP.,)	
d/b/a GLAXOSMITHKLINE,)	
)	
Plaintiffs,)	C.A. No. 05-197 (GMS)
)	
v.)	
)	
TEVA PHARMACEUTICALS USA, INC.,)	
)	
Defendant.)	

ORDER

Presently before the court is the defendant's motion for leave to amend its answer, defenses, and counterclaims. After considering the parties' positions, the court finds that the plaintiffs' will suffer no undue prejudice by permitting such amendment. Accordingly, the motion will be granted and the schedule will be amended as follows:

August 17, 2006	Completion of Fact Discovery
September 1, 2006	Opening Expert Reports Due
September 22, 2006	Answering Expert Reports Due
October 6, 2006	Reply Expert Reports Due
October 27, 2006	Close of Expert Discovery
November 3, 2006	Pre-Trial Order Due
November 21, 2006	Pre-Trial Conference ¹
December 18, 2006	Bench Trial Begins

¹The court will notify the parties after the submission of the pre-trial order whether the pre-trial conference will be telephonic or in person.

The court further notes that this modification to the schedule should not be construed as a license to significantly postpone aspects of the parties' pre-trial preparation that is not affected by the amendments to the defendant's answer. Lastly, the court will not entertain motions for summary judgment with regard to these amendments.

IT IS HEREBY ORDERED THAT:

1. The defendant's motion for leave to amend (D.I. 73) be GRANTED; and
2. The scheduling order be AMENDED in the manner provided above.

Dated: July 28, 2006

/s/ Gregory M. Sleet
UNITED STATES DISTRICT JUDGE